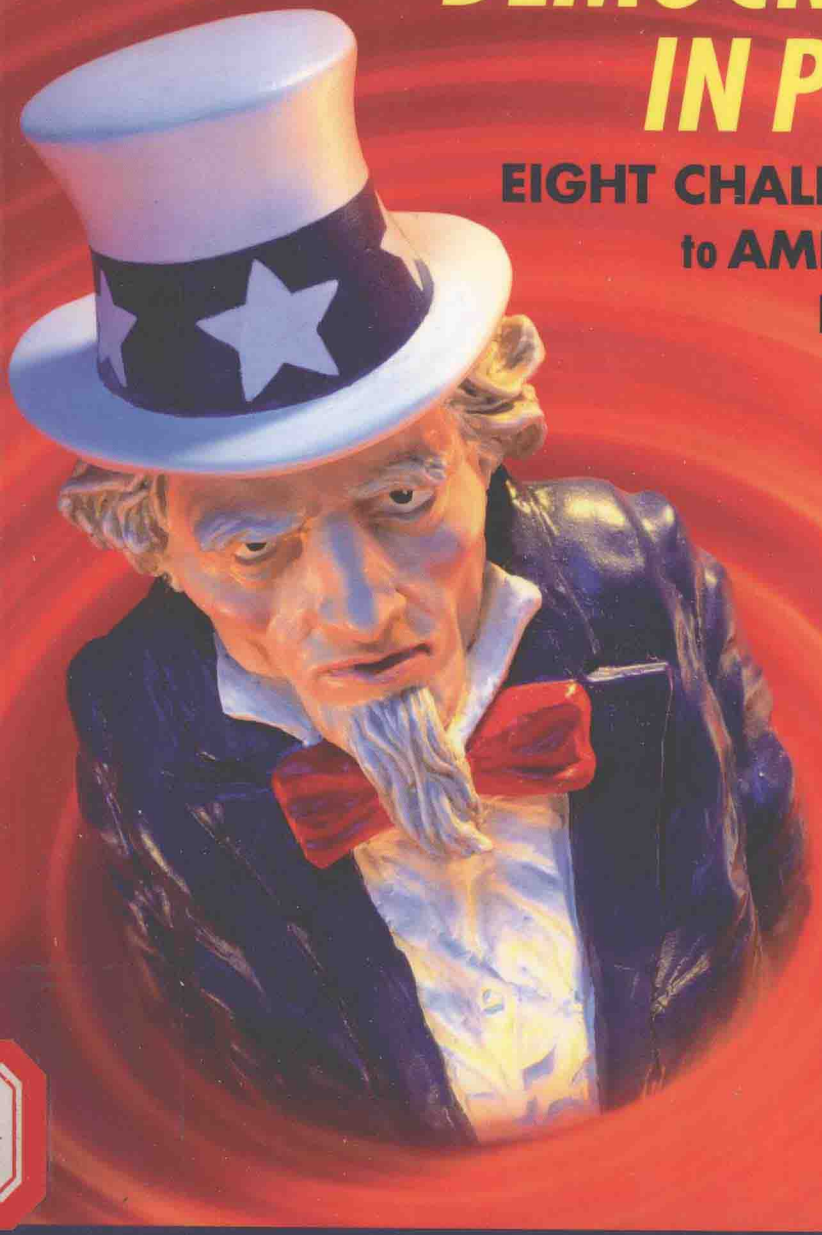
Seventh Edition

AMERICAN DEMOCRACY IN PERIL

EIGHT CHALLENGES to AMERICA'S FUTURE



WILLIAM E. HUDSON

American Democracy in Peril

Eight Challenges to America's Future

SEVENTH EDITION

William E. Hudson

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To the memory of my parents,
Maxine Smith Hudson
and
E. Kenneth Hudson,
both democrats

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Preface

The preface to the sixth edition of this book began on a hopeful note—that Barack Obama's election might bring about major progress toward addressing the challenges to democracy delineated in this book. Yet it also included a caution: "The fundamental forces that have brought about trivialized elections, radical individualism, citizen disengagement, and inequality remain and will not be changed by a single election outcome. . . . the institutions of the national security state remain in place and constitute an ongoing challenge to democracy. . . . Business's privileged position in our politics remains strong . . . the many veto points within our constitutional arrangements will certainly bedevil his initiatives." Unfortunately, the caution rather than the hopeful note has characterized the Obama presidency.

A reader of this edition will be able to trace systematically how each of these challenges has impeded the hope for change embodied in Obama's election. Foremost has been the way the dysfunctional institutional structure of the national government stands in the way of crafting effective reforms. When institutional gridlock nearly led to a government default in the 2011 debt ceiling crisis, most Americans were horrified with their ineffectual government. Opinion polls showed historic lows in confidence in government and Congress. Even one of the bond rating agencies, Standard and Poor's, downgraded the country's credit rating not because of the state of the economy but over skepticism about the political system's ability to address future fiscal challenges. The majority of citizen voters who chose change in 2008 had little reason to believe in "government by the people."

Recent events have reinforced the other challenges to democracy. The economic crisis has only exacerbated economic inequality as the top 1 percent of Americans seem to have bounced back from the Great Recession while the rest have seen their incomes continue to stagnate and decline. The 1 percent versus the 99 percent has entered into our language, thanks to the Occupy Wall Street movement, indicating a new awareness of inequality in our society. Although many Americans expected that financial crisis would lead to profound reform, the banking industry has used its privileged position to soften efforts to hold it in line.

An activist conservative majority on the Supreme Court has moved in new directions, as in the *Citizens United* decision, to undermine democratic rule. It stands as a potential block to progressive economic and social reform. And the national security state, even as conflict in Iraq and Afghanistan has wound down, remains a potent force directing societal resources, in an era of fiscal austerity, toward the military-industrial complex. In the ways described here, American democracy's peril has only increased since the sixth edition of this book was published.

This new edition has been revised extensively to reflect democracy's peril in the current era:

- The historic and far-ranging impact of the Obama presidency, including the intense partisan conflict that has accompanied it, is incorporated throughout the book.
- A detailed analysis of the tortured politics surrounding health care reform, the repeated threats of government shutdown due to gridlock over deficit reform, and the use of institutional vetoes to prevent effective economic stimulus measures.
- A reorganized elections chapter (5) that looks at the undemocratic structure of elections, the electoral college, and legal obstacles to voting; the role of the media in elections, including new social media; and how hyperpartisanship has undercut the role of political parties as institutions providing citizens effective control over government policy.
- A complete revision of both chapter 6 on the privileged position of business and chapter 7 on economic inequality reflecting the impact of the Great Recession of 2008.
- A revised final chapter (8) that details how the institutions of the national security state derailed the ability of the Obama administration to substantially alter the goals and methods of the military industrial complex.

While examples and references to events of recent years have been added to keep the text current, instructors will find that the basic arguments of most chapters remain unchanged from earlier editions. Even when addressing a generation of students who were small children during the Clinton presidency, I have not shied away from retaining historical references and facts. I find that my own students are very curious about the defining events of earlier decades, such as Watergate, the Vietnam War, and the civil rights movement, that were not often covered in depth in their high school history classes. That these events have much to do with the challenges to democracy discussed in this book make their inclusion a useful stimulus to teaching about them.

This book was written primarily for college students in their first course in American government. Its purpose is to stimulate them to think about how the facts they learn about American politics relate to democratic ideals. Like many Americans, students are frighteningly complacent about democracy—they assume that as long as periodic elections are held, democracy has been achieved. They remain complacent about democracy even while they are skeptical about government effectiveness. I seek to shake up this complacency by showing how current political practices not only fail to achieve democratic ideals but may themselves constitute threats to democracy's very existence. Contemporary American democracy is in peril because too few Americans understand the challenges it faces.

I have received many helpful comments and reactions to the book from students and faculty colleagues across the country. Most gratifying have been those comments that refer to the utility of the book for stimulating class discussion. As I wrote in the preface to the first edition, my primary aim in writing the text was to encourage student reaction to its arguments. I knew that I probably would not persuade all students by what I had to say, but I hoped to say it in a way that would engage their attention and involve them in democratic conversation. From what readers tell me, this book continues to accomplish this goal.

As in previous editions, my introduction offers a review of the history of democratic theory in terms of four "models" of democracy, giving the reader a set of criteria against which to evaluate the challenges discussed later. Then, throughout the book, I argue my own point of view regarding each challenge in as persuasive a manner as I can. I aim to stimulate and engage the reader in thinking critically about these challenges, rather than presenting the "neutral" and "objective" discussion common to most textbooks. The arguments represent my personal conclusions about these challenges, based on many years of study and teaching. Students may well find my positions controversial, and they may discover that some other political scientists—perhaps including their own instructor—are inclined to disagree.

Each chapter concludes with a "Meeting the Challenge" section aimed at stimulating a positive discussion of what policies or reforms may be needed to address the challenge described in the chapter. This edition also retains an updated set of open-ended thought questions at the end of each chapter that were formulated to provoke debate about key arguments and to further encourage critical thinking about the subject matter. Many new works have appeared in the past few years that relate to this book's themes, and I have added those that I consider most illuminating to the lists of suggested readings—including titles marked with an asterisk, which argue views contrary to my own—at the end of the chapters. Following those brief bibliographic recommendations are short lists of websites relating directly to chapter themes,

and these lists too have been updated to reflect the fast-paced changes in the cyber world.

The events of the past few years have reinforced my conviction, expressed in prefaces to previous editions, that the future of democratic politics in the United States depends on meeting the challenges presented in this book. If America is to succeed in promoting democracy around the world, we need to acknowledge and address the shortcomings of our own democracy. Creating a more peaceful and democratic world, where Americans can once again feel secure from terror and hostility, will require that we resolve to correct and improve democracy within our own borders. I believe strongly that, at this time in history, Americans need to pay attention to the quality of our democracy. That this book may contribute to promoting a conversation about the issue in political science classrooms is my greatest satisfaction as its author. Any reader of the present edition who would like to converse with me regarding any issue in these pages may contact me at bhudson@providence.edu.

Acknowledgments

Political science colleagues at institutions across the country have proved to be helpful partners in improving how this book "works" in the classroom. I continue to be grateful to my Providence College colleagues for their generous encouragement and thoughtful suggestions. This edition benefited as well from the capable work of two student research assistants: Danielle Turcotte and Danielle Ladd.

The late Ed Artinian, founder of Chatham House, made this book possible, and his skill in promoting it was the major factor in its success. I will be always grateful for Ed's support and encouragement over the years and happy to have had the opportunity to know and work with him. I am grateful that CQ Press is keeping much of Ed's legacy alive through support of the texts he published, including this one. It has been a pleasure to work with Brenda Carter, Charisse Kiino, and the other expert staff at the press. I appreciate their professionalism and strong support for *American Democracy in Peril.*

I also would like to thank the reviewers who provided valuable insights and recommendations for the seventh edition:

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Finally, thanks to my wife, Loreto Gandara, who continues to inspire me to keep writing about American democracy. She had the insight, when this book was conceived, to suggest that *peril* was the best word to describe what ails our democracy.

Contents

INTRODUCTION

Models of Democracy

> *As I would not be a* slave, *so I would not be a* master. *This expresses my idea of democracy. Whatever differs from this, to the extent there is a difference, is no democracy.*
>
> —ABRAHAM LINCOLN

DEMOCRACY IS A complicated concept. The dictionary definition, "government (or rule) by the people," seems simple, but once we begin to think about the components of the definition, complexities arise. What does "government" or "rule" mean? Does "government by the people" mean that all the people are directly responsible for the day-to-day operation of government? Or is a scheme of representation acceptable? If so, what sort of scheme? How should it be organized? Elections? How often and for which offices? Does "government" have special meaning in a democracy? What is its proper scope? Who decides what is proper? The people, again? How is this decision made and expressed? And who are "the people," anyway? Everyone who lives in the governed territory, or citizens only? What is a citizen? Can newly arriving people (immigrants) become citizens? Under what rules? Should "the people" include everyone or just those with a stake in the community, say, property holders? Should certain groups of people, such as criminals and traitors, be excluded from citizenship? This is just the beginning of a list of questions we could make about the meaning of "government by the people." Notice that in this short list of questions, such additional complex concepts as representation, citizen, and elections are mentioned and suggest additional questions. The search for answers to all these questions is the concern of democratic theory, the branch of scholarship that specializes in elucidating, developing, and defining the meaning of democracy.

Opposite: *Abraham Lincoln, 1863.*

Photo courtesy of Matthew Brady.

If we move beyond dictionary definitions and ask Americans what they think about democracy, we find additional layers of complexity. Americans associate diverse and often contradictory characteristics of their political system with democracy. Most Americans believe that democracy requires majority rule, but at the same time they consider the protection of minority rights from the will of the majority to be a key component of democracy. In fact, most Americans place considerable emphasis on the importance of freedom from governmental interference in their lives as the crucial ingredient of democracy. The individualistic American values democracy because it helps her or him to lead a personal life freely, without government getting in the way. At the same time, patriotic Americans believe that democracy imposes obligations—the duty to vote, for example, or to support the government in times of crisis such as war. Many Americans associate democracy with particular constitutional features, such as the separation of powers and the Bill of Rights. These same Americans would be surprised to see democracy performing quite well in political systems possessing neither of those features; Great Britain is one example. For some, American economic arrangements, usually described as the free enterprise system (capitalism), are a part of democracy. Others, as we later see, believe that capitalism is a threat to political equality and, hence, to democracy. Given these differing views, one can understand why the essay contest on the topic "What Democracy Means to Me" remains a continuing tradition in American schools.

If we are to analyze various challenges to democracy intelligently, we need to clarify some of this confusion about what "democracy" means. We need some sophisticated standards to use in evaluating the degree and kind of threat each of the challenges we examine poses for democratic politics. For example, what democratic characteristics and values does increasing economic inequality or a growing military-industrial complex threaten? This introduction presents an overview of some of the basic concepts of democracy as found in democratic theory. It offers a base to be used in evaluating the challenges to contemporary democracy. Democratic theory is presented here in terms of four distinct "models" of democracy.[1] Each model provides a different understanding of democracy as it has been interpreted by different groups of political theorists. Four different models are needed because democratic theorists have not agreed on what procedures, practices, and values must be emphasized for "government by the people" to be realized. The discussion of the models also provides a brief summary of the major issues and questions raised in modern democratic theory over the past two hundred years. Although some of the ideas in the models were first presented long ago, I believe each of them offers a viable alternative conception of democracy that is relevant to the United States today. The reader, however, should be warned that the discussion of democratic theory presented here is not meant to be a comprehensive review of this voluminous topic. Many important issues are not raised, and some important theorists are not discussed. Readers interested in a more

thorough review of democratic theory should consult the works listed in the Suggestions for Further Reading at the end of this introduction.

The models discussed in this chapter are derived from writings on democracy since the eighteenth century. Only in the past two hundred years have humans had experience with democratic government in large nations. The theorists of what I call *modern* democracy agree that democratic politics is possible on such a scale, and they premise their discussions on that assumption. But before the emergence of modern democratic theory, certain historical experiences and political ideas prepared the way for these theorists. Those precursors to modern democratic theory are discussed in the next section.

Precursors to Modern Democratic Theory

Democracy is an ancient concept. The idea of people participating equally in self-rule antedates recorded human history and may be as old as human society itself.[2] From recorded history we know that the ancient Greeks had well-developed and successful democratic societies among their various forms of government. Several Greek city-states, most notably Athens, organized governments that involved the direct participation of their citizens in governing.[3] The Athenian Assembly (Ecclesia), composed of all male citizens, met more than forty times each year to debate and decide all public issues.[4] Officials responsible for implementing Assembly decisions were either elected or chosen by lot; their terms of office usually lasted one year or less. From historical accounts and the analyses of classic Greek philosophers such as Plato and Aristotle, we know that Greek democracy involved many of the key concepts and practices associated with modern democracy. Political equality, citizen participation—and in Athens, usually *lively* participation—the rule of law, and free and open discussion and debate were all part of Greek democratic practice.[5] Nevertheless, the Greek form of democracy had characteristics that limited it as a model for modern democracy.

The first and most obvious limitation was scale. The Greeks assumed the city-state to be the appropriate size for the polity. Their democracy was carried out within this small territory among several thousand citizens, a condition permitting face-to-face interaction in a single public assembly. Political interaction beyond the scale of the city-state involved either diplomacy or conquest—hardly a democratic procedure. During the fourth and fifth centuries B.C., when Athenian democracy was at its height, Athens ruled its conquered territories in a decidedly undemocratic manner. The idea that democracy could encompass more than a few thousand citizens in a single city-state would have been absurd to Greek democrats.

A second limitation of Greek democracy was its exclusivity.[6] Although all male citizens participated in governing themselves in Athens, this group constituted a minority of the people who actually lived in Athens and were